

6-15-2023 Medical Cannabis Production Establishment Board Meeting Minutes

Commissioner Craig Butters Calls Meeting to Order - Utah Department of Agriculture and Food

Members in attendance: Commissioner Craig Butters, Dr. Edward Walker, Sheriff Kevin Potter, Josh Daniels, Miles Maynes, and Andrew Gubler

Commissioner Craig Butters Reads Statement: “All participants will be muted until asked to speak by the board. If you are a company representative please click Raise Hand when it is your time to speak and one of our admin will unmute you. During the public comment period please type in the chat box or click Raise Hand to be called on by the board, at which point you will be unmuted. Thank you to everyone for working with the department to ensure a professional and efficient meeting.”

Dr. Edward Walker moves to approve the 4-13-2023 Medical Cannabis Production Establishment Board Meeting Minutes

- **Motion Seconded - Andrew Gubler**
- **All Present - YES**

Medical Cannabis Tier 1 Processor License Renewal: Pure UT

Cody James Introduces Pure UT: “Pure UT is a Tier 1 processor located in Utah County. Pure UT uses hydrocarbon, CO2, and ethanol as their extraction methods. The medicinal dosage forms that they’re producing are tablets, concentrated oils, liquid suspensions, transdermal preparations, gelatinous cubes, and resin. Over the past year they’ve had a couple of regulatory issues that led to 1 citation, 12 warnings, and 2 letters of concern. The citation is what we consider regulation violations, they had some information missing on their visitor log, their solo tags were not on the product, and the physical count of the product was off by 18 products. Waste was being stored next to active inventory which is against the rules. There were also several warnings for security requirements; the visitor logs, labeling of cannabis and cannabis products, inventory control issues, and minimum storage aspects. There was a security requirement where more information was missing from the visitor log, containers in the storage area did not have their unique identification tags on them, and then a couple more labeling requirement issues. A couple of the letters of concerns were for advertising at a business conference, and then another letter was for items outlines in the approved operating plan did not match what was occurring that the facility. They were also missing their food establishment certificate or GMP certificate. Overall they’ve responded to the warnings, letters of concern, and citations and have seemed to have come into compliance since that time. They’ve worked pretty well with us during our follow ups.”

Pure UT states: “As stated we’ve obviously had a number of warnings over the year as we’ve gotten up and running. We’ve addressed all those in a timely manner and have straightened all those out. We’ve seen very few repeats on those issues. I think we’ve been a very good player in the market and we’re doing our best to stay in compliance with everything regulation. We made all the changes that were needed.”

- **Commissioner Craig Butters opens it to the Medical Cannabis Production Establishment Board Questions:**

Q. Miles Maynes asks if the Board is able to enter a Closed Session to discuss the details of the compliance issues for Pure UT.

- **Miles Maynes motions to move into a Closed Session**
 - **Motion Seconded - Dr. Edward Walker**
 - **All Present - YES**

- Commissioner Craig Butters opens it to Public Comment; no Public Comments were submitted and Public Comments were closed
- Andrew Gubler moves to approve the Medical Cannabis Tier 1 Processor License Renewal for Pure UT
 - Motion Seconded - Miles Maynes
 - Miles Maynes requests Pure UT gives a summary of what their compliance focuses will be if the Board grants their renewal.
 - Pure UT states that they will create ongoing training logs that the inspectors will have access to during their inspections. They will continue to train with a focus on the SOPs in place and to make sure that they are up to the current standards.
 - All Present - YES

Medical Cannabis Independent Testing Laboratory License Renewal: Aromatic Plant Research Center (APRC)

Cody James Introduces APRC: “Aromatic Plant Research Center is Utah’s only independent cannabis testing laboratory- along with the State Lab. They are located in Utah County and have been licensed with UDAF since 2021. APRC has the ability to test everything required in R68-29. APRC has completed ISO certification. Over the past year APRC has received 4 warnings. The first warning was the passing of a product that had some foreign matter in it. That turned into a rather big discussion about that, some clarification to take place after the test. Another warning was for a sample that did not have its full information. The labs themselves have to follow all the requirements for tracking cannabis as well as the processors. There were some visitor log issues as well. Another warning was for the visitor log, though it should be noted that where their lab is located is a little difficult to follow the visitor log requirements given that they test various other things besides cannabis. There was a situation with the Material Safety Data sheets where they didn’t have one of the sheets in their records at time of inspection. All those things have been taken care of, they’ve worked extremely closely with us. I would say that APRC and the State has had more communication with each other than we do with the other licensees. They’re a lab so they’re obviously concerned about patient safety and getting things done correctly. I should note that APRC is performing the majority of the tests for the Medical Cannabis Program. The number of tests performed from June 2022 to current is 4,708 out of the 6,500 total tests done in the state. They’ve worked very close with our State Lab and Dr. Forsyth to make sure that they’re on the same page.”

- Commissioner Craig Butters opens it to the Medical Cannabis Production Establishment Board Questions:

Q. Miles Maynes asks if APRC has Independent Sample Technicians or if it’s ran through the state.

A. Cody James states that it is run through the state. A change was made so that all sampling was done through the industry and done by a state sampling technician.

Q. Miles Maynes asked if that was likely to change in the future.

A. Cody James states that it is unlikely after several discussions with Dr. Forsyth.

Q. Dr. Edward Walker clarifies that a state representative pickles up the sample from the producer and delivers it to the laboratory. With a chain of evidence.

A. Cody James states that that is correct.

Q. Dr. Edward Walker asks if the lab is using standardized methods that are recognized nationally.

A. Pure UT states that they developed and validated their methods through the ISO program, and also worked with the State Lab to make sure that they’re on the same page.

- Commissioner Craig Butters opens it to Public Comment; no Public Comments were submitted and Public Comments were closed

- **Miles Maynes moves to approve the Medical Cannabis Independent Testing Laboratory License Renewal for Aromatic Plant Research Center**
 - **Motion Seconded - Josh Daniels**
 - **All Present - YES**

Medical Cannabis Change Request Approval: Riverside Farm Cultivation

Cody James Introduces Riverside Farm Cultivation: “Riverside Farm Cultivation is requesting to increase their growing space. They are located in Box Elder County. Riverside will utilize part of the 50,000 square feet of indoor cultivation in addition to the 2.4 acres of outdoor growing area. This increase will change Riverside Farm’s total canopy square footage from 34,452 to 49,344. They are getting really close to the 50,000 square foot maximum, as they have already been approved for the 2 acres of outdoor growing area as well as the board approved 20% increase. It should see an increase in production, which Riverside has tried extremely hard to make sure that they’re one of the leaders in biomass amounts.”

Riverside States: “We’re just excited to be the first cultivator in the state to hit the maximum as we continue to provide high quality low cost medical cannabis to Utah patients.”

- **Commissioner Craig Butters opens it to the Medical Cannabis Production Establishment Board Questions; no questions were asked and the Medical Cannabis Production Establishment Board Questions were closed**
- **Commissioner Craig Butters opens it to Public Comment; no Public Comments were submitted and Public Comments were closed**
- **Miles Maynes moves to approve the Medical Cannabis Change Request for Riverside Farm Cultivation**
 - **Motion Seconded - Andrew Gubler**
 - **All Present - YES**

Medical Cannabis Change Request Approval: Wholesome Ag

Cody James Introduces Wholesome Ag: “Wholesome Ag is one of our 8 licensed growers in the state. They actually have been growing in two separate locations, the board approved their indoor grow that they’ve been operating in Davis County. They also had a grow in Box Elder County. Wholesome Ag is requesting a decrease in their grow space by ceasing operations in Box Elder County. With the construction of their new building in Davis County, they believe that they will be able to maintain the production levels that they put forth in their license renewal application. They are telling us that they are not anticipating any decrease in their biomass yields.”

Wholesome Ag States: “We’ve had a good relationship with Riverside Farm, and as I’ve told Matt many times, we’re grateful for that relationship, but it is time for that relationship to come to an end. As Cody said, we are confident that we will produce as much as we said in our renewal. Our facility is doing quite well.”

- **Commissioner Craig Butters opens it to the Medical Cannabis Production Establishment Board Questions:**

Q. Miles Maynes asks for clarification on what their grow space will be.

A. Wholesome Ag states that they did 2 acres of outdoor grow last year at their Box Elder locations, as well as the greenhouse. With the new building there will be no outdoor grow this year. They did have a harvest for their last remaining greenhouses. They will be out of the Box Elder location entirely by June 30th, but they are looking for a replacement location and will most likely be petitioning the board for approval for that.

- **Commissioner Craig Buttars opens it to Public Comment; no Public Comments were submitted and Public Comments were closed**
- **Miles Maynes moves to approve the Medical Cannabis Change Request for Wholesome Ag**
 - **Motion Seconded - Dr. Edward Walker**
 - **All Present - YES**
- **Miles Maynes motions to adjourn the Medical Cannabis Production Establishment Board Meeting**
 - **All Present - YES**